

RECEIVED  
CENTRAL FAX CENTER

JUL 31 2006

Attorney Docket #10/573,390

Date: July 31, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----x  
Re Application of: Oswald BAYER, et al. :  
Serial No.: 10/573,390 :  
Filing date: 04/04/2006 :  
Title: BALL BEARING :  
-----x

REQUEST FOR CORRECTION OF 2 ERRORS IN A FILING RECEIPT AND  
ACCEPTANCE LETTER

Attn: Application Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir,

We respectfully request correction of 2 errors appearing in the filing receipt and acceptance letter mailed in the above-identified application. The errors are the following:

- 1) The Domestic Priority data as claimed by the applicant is incorrect. It is not PCT/DE04/02083. The correct is PCT/DE2004/002083.

2) **The same error** is stated on the Notice of Acceptance.

It is not PCT/DE04/02083. The correct is  
PCT/DE2004/002083.

Enclosed is a marked-up copy of the filing receipt  
and a marked-up copy of the inventors Declaration and Power  
of Attorney to support the corrections.

Respectfully submitted,

LUCAS AND MERCANTI, LLP

By: 

Maura Shipley  
Paralegal for Applicant(s)  
475 Park Avenue South  
15<sup>th</sup> Floor  
New York, New York 10016

Encl: Marked-up Copy of Filing Receipt

Marked-up Copy of Acceptance Letter

Marked-up Copy of Declaration and Power of Attorney

RECEIVED  
CENTRAL FAX CENTER

JUL 31 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/573,390	04/04/2006	3682	1180	INA29	3	23	2

CONFIRMATION NO. 9383

20311  
LUCAS & MERCANTI, LLP  
475 PARK AVENUE SOUTH  
15TH FLOOR  
NEW YORK, NY 10016

RECEIVED

WITH  
THANKS

JUL 27 2006



FILING RECEIPT

\*OC000000019532533\*

Date Mailed: 07/18/2006

LUCAS &amp; MERCANTI LLP

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Oswald Bayer, Aidhausen, GERMANY;  
Otmart Hartling, Schonungen, GERMANY;Power of Attorney: The patent practitioners associated with Customer Number 20311.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/DE04/02083 09/17/2004

Incorrect

## Foreign Applications

GERMANY 103 43 881.5 09/23/2003

If Required, Foreign Filing License Granted: 07/07/2006

PCT/DE 2004/ ← correct  
002083

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/573,390**

Projected Publication Date: 10/19/2006

Non-Publication Request: No

Early Publication Request: No

Title



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,390	Oswald Bayer	INA29

20311  
 LUCAS & MERCANTI, LLP  
 475 PARK AVENUE SOUTH  
 15TH FLOOR  
 NEW YORK, NY 10016

**RECEIVED**  
 WITH  
 THANKS

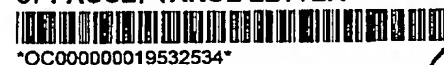
JUL 27 2006



LUCAS & MERCANTI LLP

INTERNATIONAL APPLICATION NO.	
PCT/DE04/02083	
I.A. FILING DATE	PRIORITY DATE
09/17/2004	09/23/2003

CONFIRMATION NO. 9383 INCO  
 371 ACCEPTANCE LETTER



\*OC000000019532534\*

PCT/DE 2004/002083

Correc

Date Mailed: 07/18/2006

### NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified International application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>04/04/2006</u>	<u>04/04/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 03/22/2006
- English Translation of the IA filed on 03/22/2006
- Copy of the International Search Report filed on 03/22/2006
- Preliminary Amendments filed on 03/22/2006
- Information Disclosure Statements filed on 03/22/2006
- Oath or Declaration filed on 04/04/2006
- Request for Immediate Examination filed on 03/22/2006
- U.S. Basic National Fees filed on 03/22/2006
- Assignment filed on 03/22/2006
- Priority Documents filed on 03/22/2006

Our ref. A-29

Ina's ref: ST/SWE-G-1466-ge

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

the specification of which (check only one item below):

\_\_\_\_\_ is attached hereto.

X was filed as United States Application No. or as PCT International Application No. PCT/DE2004/002083 on 17<sup>th</sup> September 2004 and was amended on \_\_\_\_\_ (if applicable).

CORRECT

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to the examination of this application as defined by 37 CFR 1.56.

**FOREIGN AND DOMESTIC PRIORITY CLAIMS UNDER 35 USC 119  
AND PRIOR FOREIGN/PCT APPLICATIONS**

I hereby claim foreign or domestic priority benefits under 35 USC 119 or 365(b) for any United States provisional patent application or foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or under 35 USC 365(a) for any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY/APPLICATION NO. (if PCT, indicate "PCT")	DATE OF FILING (day/month/year)	PRIORITY CLAIMED UNDER 35 USC 119
103 43 881.5	23-09-2003	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

I hereby claim the benefit under 35 USC 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose material information as defined in 37 CFR 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PCT/US APPLICATION NO.	PCT/US FILING DATE	PATENTED	PENDING	ABANDONED
PCT/DE2004/002083	17-09-2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## POWER OF ATTORNEY AND CORRESPONDENCE ADDRESS

I hereby appoint the following attorneys at the address listed below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith and to receive all correspondence in connection with this application:

Donald C. Lucas, Registration No. 31,275  
Michael N. Mercanti, Registration No. 33,966  
Timothy D. Meade, Registration No. 55,449

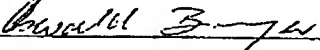
Laurence Manber, Registration No. 35,597  
Otho B. Ross, Registration No. 32,754

ADDRESS: Lucas and Mercanti, LLP  
475 Park Avenue South, 15<sup>th</sup> Floor  
New York, NY 10016  
Tel: 212-661-8000  
Fax: 212-661-8002

CUSTOMER NO. 20311

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## INVENTOR IDENTIFICATION AND SIGNATURE

FULL NAME OF SOLE OR FIRST INVENTOR : Oswald BAYERINVENTOR'S SIGNATURE: DATE: 20.03.2006RESIDENCE : 97491 Aidhausen, GermanyCITIZENSHIP: GermanPOST OFFICE ADDRESS: Am Kochlein 3, 97491 Aidhausen, GermanyFULL NAME OF SECOND INVENTOR: Otmar HARTLINGINVENTOR'S SIGNATURE DATE 20.03.2006RESIDENCE: 97453 Schonungen, GermanyCITIZENSHIP: GermanPOST OFFICE ADDRESS: Hauptstrasse 10, Loeffelsterz, 97453 Schonungen, Germany

Cont....YES [ ] NO [ X ]